

Special Order Speeches and Other Forms of Non-Legislative Debate in the House

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Summary

Rules in the House of Representatives can limit the time allowed for floor speeches and require debate to be germane to pending business. A series of unanimous consent practices have evolved that permit Members to address the House for specified durations and at specified times on subjects of their own choosing, outside the consideration of legislative business. The principal forms of such *non-legislative debate* are *special order speeches*, *one-minute speeches*, and *morning hour debates*

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Background

Nearly every aspect of House floor proceedings is governed by time limitations. The Hour Rule for debate in the House, the five-minute rule for debate of amendments in the Committee of the Whole, and time limits imposed by special rules or under suspension of the rules procedures are essential tools for managing a crowded agenda in a large legislative body. In addition, Members in debate must confine themselves to the question under consideration. Together, these constraints severely limit the opportunities for Members to speak on other subjects of concern to them when legislation is being considered.

In response to this dilemma, several practices and procedures for “non-legislative debate” have evolved, to afford Members the opportunity to make themselves heard from the House floor on issues of interest. None of these practices is officially provided for in House rules. Rather, they are customs that have evolved as unanimous consent practices.

Unfettered by normal House germaneness requirements, Members using these forms of non-legislative debate can speak on a wide variety of subjects. Topics may include local, national, or international issues; proposed bills; or internal House procedures, as well as tributes or eulogies. In recent years, non-legislative debates have provided a convenient forum for Members, particularly the minority party, to draw attention to their legislative agenda.

The policies governing these practices have evolved over time in response to contemporary needs. Typically, on the opening day of a new Congress, unanimous consent agreements and the Speaker’s announced policies governing the conduct of non-legislative debate during that Congress are stated. The practices prescribed for the 112th Congress are set out below.¹

Special Order Speeches

Special order speeches occur routinely at the end of the day when all legislative business has been completed. Members may be recognized to speak on any topic they wish for up to 60 minutes. Recognition for special orders is the prerogative of the Speaker, and Members reserve their time in advance through their party’s leadership. When recognizing a Member, the Speaker would say:

Under a previous order of the House, the gentleman from _____ is recognized.

During the special order period, each party may first recognize a Member to speak for one hour. Then Members wishing to use a 30 minute block are recognized, with recognition alternating between the parties. It is common for each party’s leadership to designate a Member to deliver a so-called “leadership special order” at some time during a special order period.

¹ The procedures governing extra-legislative debate are available in the *Congressional Record*. “Making in Order Morning-Hour Debate,” remarks in House, *Congressional Record*, daily edition, January 5, 2011, pp. H28-H31. The rules for the 112th Congress are in *The Constitution, Jefferson’s Manual, and Rules of the House of Representatives*, H.Doc. 111-157, 111th Cong., 2nd sess., [compiled by] John V. Sullivan, Parliamentarian (Washington: GPO, 2011).

Pursuant to the Speaker's announced policy for the 112th Congress, up to four hours of special order speeches may be delivered, but in no case may the speeches extend beyond 10 p.m. The Member serving as the presiding officer, following consultation with the leadership and notification to the House, may extend the four-hour period for special orders on a given day, but not beyond 10 p.m. The time allotted each day is divided equally between the parties, and initial and subsequent recognition alternates between the majority and minority. For more detailed information, see CRS Report RL30136, *Special Order Speeches: Current House Practices*, by Judy Schneider.

One-Minute Speeches

One-minute speeches are typically given at the start of the legislative day, but may occur at other times in the legislative program, including the end of the day. Customarily, after the daily prayer, the Pledge of Allegiance, and approval of the previous day's *Journal*, Members ask for unanimous consent to address the House for one minute on a topic of their choice. When seeking recognition, a Member would say:

I ask unanimous consent to address the House for one minute and to revise and extend my remarks.

Recognition for one-minute speeches is at the prerogative of the Speaker, who may limit daily speeches to a certain number, or move them to a different place in the program, on any given day. Members seeking recognition for this purpose sit in the first row on their party's side of the chamber. Recognition for one-minute speeches alternates between the majority and the minority, with possible exceptions for Members representing the leadership, and Members having business requests. For more detailed information, see CRS Report RL30135, *One-Minute Speeches: Current House Practices*, by Judy Schneider.

Morning Hour Debates

Since the 103rd Congress, the House, by unanimous consent, has set aside a period on Mondays and Tuesdays for the purpose of conducting "morning hour debates." The amount of time reserved for these speeches varies. In the 112th Congress, the House has agreed to two different schedules for morning hour debate. Before February 1, 2011, the House could convene on Mondays and Tuesdays for special order speeches two hours before the regular House meeting times. After February 1, 2011, the House may convene for morning hour speeches on Monday, Tuesday, Wednesday, and Thursday, two hours before the regular meeting time. The House may also meet at a time different from the regular meeting times for the 112th Congress established by H.Res. 10, by adopting a resolution for that purpose.

The two hour period for morning hour speeches will be divided between the two parties. Members must reserve time in advance with their respective leadership, and speeches are limited to five minutes. More time may be granted for speeches by the majority leader, the minority leader, and the minority whip. The chair alternates initial and subsequent recognition between the majority and minority parties, in accord with lists supplied by the leadership. When recognizing Members for this purpose, the Speaker would say:

Pursuant to the order of the House of [date here] the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate. The Chair will alternate recognition between the parties, with each Member, other than the majority and minority leaders and the minority whip, limited to 5 minutes.

When morning hour debate is concluded, the House recesses until the meeting time established for that day's session. Morning hour debate must conclude at least 10 minutes before the scheduled regular meeting time for the day's session. For more detailed information, see CRS Report RS20131, *Morning Hour Debates: Current House Practices*, by Judy Schneider.

Author Information

Judy Schneider
Specialist on the Congress

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